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PRESIDENT TO PRESIDENT

On
The Question Of

HUMAN RIGHTS

Imari Abubakari Obadele, I
President, The Provisional Government
The Republic Of New Afrika

— Named A Political Prisoner by Amnesty International —

Challenges

U. S. President Jimmy Carter

On
Oppression of Blacks, Indians, & Others

Genocide, Slave Labor In Prisons

Prisoner Exchange

And

The U. S. Silence On the Vicious Anti-Black "Cointelpro"



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President, The Provisional Government
THE REPUBLIC OF NEW AFRIKA

16 July 1978

President Jimmy Carter
The United States of America
The White House
Washington, D. C.

THE STRUGGLE IS FOR LAND!

Sir:

I have the honor to convey to you my sense of extreme dismay at the manner in which you have conducted your Human Rights campaign. Whatever your intentions, it seems abundantly clear, particularly in light of the events of the last several weeks — your personal intervention for persons on trial in Russia, your pressure on Chile for release of evidence in a criminal case — that your policy means Human Rights *abroad* but rampant abuse of Human Rights for blacks, New Afrikans (all persons in the U.S., descendants of Afrikan slaves, are New Afrikans), in the United States.

Perhaps no clearer example of this unseemly dichotomy is found in your failure to lift a finger in behalf of the Republic of New Afrika-Eleven — persons imprisoned unjustly, directly as a result of *unlawful* activity by the U.S. Government: your government's failure to release the RNA-11 or come into court and admit the U.S. wrong-doing which brought the RNA-11 to jail.

I am writing in light of the possibility that you may be unaware of the impact of your policy — the cynicism which it suggests and which it breeds, the contempt for the U.S. government and the U.S. "justice" system which inevitably results, especially among blacks. I write in hope that out of a decent respect for the opinions of mankind you may wish to correct your policy's nefarious course, that you may wish to bring relief to your policy's many victims.

As you may know, i am one of the Republic of New Afrika-Eleven (RNA-11), and i have been designated a "prisoner of conscience" by Amnesty International. This designation signifies a reasoned, responsible, and serious condemnation of the treatment accorded by the United States Government and the state of Mississippi to the three women and eight men who are the RNA-11 — five of whom, including myself, remain in jail.

This is to say that since the unprovoked, surprise FBI and police attack on the RNA Government Residence in Jackson, Mississippi, on the morning of 18 August 1971, the three young men at Parchman Prison Farm, under sentences of life — Hekima Ana Kanyama, Wayne James Ar-Rashid, and Karim Njabafudi, who was only 15 years old at the time of the attack and imprisonment — have been in jail for seven long, destructive years. Addis Ababa (sn Denis Shillingford), like myself in federal prison, has spent six years in jail, most at infamous Parchman Prison Farm. This is to say that the United States government, including now your administration, has simply and rudely ignored Amnesty International.

II

Because the case of the RNA-11 is such a crass violation of your vaunted Human Rights concerns, and because i wish to be brief, i will deal largely with the RNA-11. But i wish you to understand that i, the RNA Provisional Government, and many others remain gravely concerned not just for the RNA-11 but for all the victims of political and racist oppression in the United States. There is, Mr. Carter, a war of genocide being conducted against black people, New Afrikans, in the United States. The disastrous unemployment of my people — twice the rate for the white population at every significant age-group — is not viewed as a crisis situation by the United States government; the unemployment rate, give a few percentage points, is considered "acceptable" by the U.S. government, and, consequently, the U.S. government's emphasis is on inflation management not unemployment elimination. This purposeful U.S. governmental decision to "accept" depression-level unemployment for blacks constitutes a major factor in the U.S. government's war of genocide against blacks.

For, it is this continuing, maddening unemployment — nearly 40 per cent of black males between 15 and 21 are unemployed — which leads not only to political revolution for some but to the drug traffic and bank robbery for many others. Thus, this grave unemployment produces death, like fecund soil producing crops — death through poor health and ill-starred crimes of material aggrandizement and frustration, and drugs, and (a virtual growth industry in harried black communities) the drug traffic. And it leads to jail.

It is not far-fetched to conclude that among the

unfortunates driven to crime are some of our race's bravest, some of our most aggressive, some of our brightest and, certainly, some of those most ready to resist passive acceptance of poverty and oppression. Certainly those from the Black Panthers, from the Black Liberation Army, from the Third World Liberation Army, from the cadres of the Provisional Government, Republic of New Afrika, who between 1967 and 1976 suffered death, maiming, and imprisonment in the military campaign of destruction conducted by police forces across the United States, and the FBI, initially under the generalship of J. Edgar Hoover, constitute important elements of that group from which the leadership of any people is drawn.

The purposeful destruction of this important segment of our potential leadership — through unemployment and prison, through the military campaign, the COINTELPRO, against our radical political leadership — clearly mirrors the crime of genocide as defined in the *International Convention on the Prevention and Punishment of the Crime of Genocide*. The Convention defines the crime of genocide as killing — in whole or in part — a national, ethnical, racial, or religious group. Your war of genocide is a conspiracy to kill (also proscribed by the Genocide Convention) and is designed to kill an important portion of our potential leadership and our masses — the resisting portion, the *nationalist* portion — including our radical political leadership.

The Genocide Convention also defines genocide as "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

It may be, Mr. Carter, that you have never thought of the conditions of black life in these terms. It would serve the world well for you to do so now — and then act, therapeutically, with compassion and a sense of unbiased justice.

Permit me to comment on prisons in the United States because, for blacks, these are the United States' version of the Nazi death camps. In prison those who escaped death on the streets are subjected to gross and subtle forms of "behavior modification" and destruction of their dignity and personality and sense of self-reliance and, sometimes, their physical existences as well.

I know about your prisons. I am your political opposition: indeed, the political opposition of all the white-dominated parties in the United States which — without the legal or moral right — have insisted that blacks, descendants of Afrikan slaves, integrate

into this nation of yours of which We have never truly been a part. I stand for independence of the black nation, the oppressed *Afrikan* nation, the oppressed *New Afrikan* nation in the United States. I stand not for white people doing things for us but for your payment of the billions of dollars owed us as 40-acres-and-a-mule for slavery, to the black Land Development Cooperatives, so that our people — *collectively* — may build and own and operate factories and giant farms and New Communities and solve our problems ourselves.

But these ideas — the ideas of your political opposition — are ideas not to be fought out by your parties and ours on the military battlefield; rather, they should be fought out in the minds and hearts of our respective peoples and, ultimately, at the polls.

Recall that it is *your* government, not ours — the U.S. Government not the RNA Provisional Government — which in the past has rejected debate in favor of violence and assault. In 1967, the head of the U.S. Federal Bureau of Investigation (the FBI), J. Edgar Hoover, arbitrarily and with self-serving injustice, branded *all* black nationalist groups as "hate" groups and set out to destroy us under various programs, including the secret, so-called COINTELPRO. Within a week of the public, peaceful founding of the RNA Provisional Government the U.S. Justice Department had opened an investigation to see if We could be prosecuted — for a peaceful, public political act. Many U.S. officials clearly were of the view that it is a crime for any black person to declare himself or herself not a U.S. citizen. It was this extraordinary position of the U.S. government which put the RNA-11 in danger of death and brought us ultimately to prison. I am in prison at Atlanta Penitentiary as i write this.

I spent nearly two years in jail in Mississippi following the unlawful August 1971 attack on my Jackson home. Most of that time was in the five-celled former "death row" of the Hinds County Jail, though for a period i was kept there alone (Ms. Tamu Sana Kanyama was virtually alone, a floor below, for ten long and bitter months). The jailers here did not hide their desire to harm us. Guards brought inmates into our maximum security area and made them assault Karim. Our food was insect-ridden, poor, and sparse. We lived off candy bars and cookies sent by family and friends; still, i went down from 159 pounds to 129. After the federal trial i stayed nearly a month in a dank cell in the City Jail in Jackson, ignored by the federal marshals and ridden with

bronchitis. Shortly after i left the Mississippi jails, Amnesty International first called for the halt of all prosecution and our release. U.S. President Gerald Ford ignored the plea.

When i entered federal prison, i found that the food was plentiful and generally good. But health services are a scandal, and i have found that here — at the federal prisons at Terre Haute and Atlanta, where i have been imprisoned — the assault is on the physical being but quite as much on the existence of the human being as a social being with dignity. I have found that the prison administrators openly profess that their mission is punishment and quarantine, not rehabilitation. In the setting of federal prisons, where most of the guards and nearly all of the leadership are white and where 50 per cent of the population are black — yes, *half*, although blacks are only one-tenth of the general U.S. population — the mission of punishment translates into cruel and unusual punishment, racially motivated. (One-fourth of federal prison populations is Spanish-speaking; the Spanish-speaking are only about 5 per cent of the U.S. general population.)

At Terre Haute physical violence of guards upon black inmates is routine. Inmates have reported Ku Klux Klan meetings among guards held in the staff dining room. At both prisons — throughout the system, i am told — demeaning manners of addressing inmates are widespread. There is no meaningful program of skill training — limited schooling of any type is available. Slave-labor is rampant. Prisoners not only are forced to work on maintenance operations, with no pay, they are induced to work in the multi-million-dollar "Prisons Industries Incorporated," at rates running from about 29-cents to 79-cents an hour — unbelievably below the *federal* minimum wage.

What this means is that many inmates who came to jail because of unemployment are still unable to make any meaningful contribution to their families; in or out of jail the breadwinner is thus unable to arrest the destruction of the black family. Until recently when a spate of "unsolved" inmate murders brought a public outcry, six to eight inmates at Atlanta were compelled to live in a cell the size of a one-car garage; i have a statement from the Regional Director of Prisons telling me that this unhealthy condition was okay because i was free (at given periods) to take a walk in the yard.

When 1,000 prisoners — black, brown, and white — from Terre Haute and Atlanta sent a signed request to the Bureau of

Prisons to be permitted private visitations and conjugal relations, offering to build appropriate facilities with donated materials if necessary, the Regional Director in Atlanta wrote: "the Bureau of Prisons does not have, nor are we contemplating instituting, a policy of conjugal visits." The so-called furlough program is, for black and Spanish-speaking prisoners, inoperative as a practical matter.

Quite as bad, many men have been placed in prisons far from their homes, making visits of families costly and rare. Many men — perhaps as many as ten per cent of the populations — are subjected to calculated delays in out-going and in-coming mail, apparently as part of experiments in the effects of isolation on human behavior. One cannot help observing, Mr. Carter, that it is mockingly incongruous that a Christian president of the United States — and the warden of Atlanta who for years drew a paycheck as a Christian chaplain — should stand as adamantly as your policy suggests against the dignity of the individual and the sanctity of the prisoner's marriage and family.

The federal prisons tolerate several religious groups, although the Muslims of all denominations continue to have recurring problems around diet, beards, and facilities. But black publications are carefully scrutinized and often barred; Playboy Magazine, for instance, is sold in the commissary, but "Black News," a fine and respected publication from Brooklyn, is not only *not* sold in the commissary but has from time to time been proscribed, even by mail. White radical literature is permitted, but "Burning Spear," a black nationalist newspaper, is barred at Atlanta. The NAACP branch at Atlanta suffers constant subversion by officials; the Black Studies group at Terre Haute has effectively been prevented from operating. At all federal prisons black cultural groups are being discouraged; the prison officials at Atlanta have blithely refused to authorize a Black Studies Program designed to prepare inmates for training in growth-industry skills, on grounds that there is inadequate supervisory personnel, although *five* black guards have volunteered to sponsor the program (other groups have *one* sponsor). In short, the federal prisons avidly pursue a program of mind-control and direction over blacks aimed at maintaining subservience to white culture and at perpetuating self-degrading patterns among blacks.

The catalogue of abuses could go on. At any given moment nearly 20,000 blacks are in federal prisons; a quarter-million blacks, i conservatively estimate, pass through federal, state, and

local jails every four years. When one considers the family members involved, We are talking about a million-and-a-quarter persons who have been severely damaged — and made ever more dependent on society, ever less useful to themselves and others — each time a U.S. Presidential election is held. And the figures grow.

III

The U.S. prisons need not be this way. Racism makes it so. A U.S. governmental commitment to genocide against those blacks who resist poverty and oppression makes it so. On March 17, 1977, you appeared before the United Nations and told the world:

The search for peace and justice means also respect for human dignity. All the signatories of the UN Charter have pledged themselves to observe and respect human rights. Thus, no member of the United Nations can claim that mistreatment of its own citizens is solely its own business. Equally, no member can avoid its responsibilities to review and to speak when torture or unwarranted deprivation occurs in any part of the world.

On March 17, 1977, you further promised the world to "seek Congressional approval and sign the UN Covenant on Economic, Social, and Cultural Rights and the Covenant on Civil and Political Rights." This was equivalent to a promise to end the cruel inhumanity of U.S. prisons and their devastating effect on prisoners' families and the prisoners themselves. Your words were a promise to abolish one side of the genocidal triangle (unemployment-crime-prison) operating against blacks. The Covenant on Civil and Political Rights, at Article Ten, Clause Three, promises that:

The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and *social rehabilitation*. [Emphasis added.]

Clause One of the same Article reads:

All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Clause One of Article 23, taken with the above clauses,

speaks emphatically for the preservation of the prisoner's family. It reads:

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

In fulfillment of these words, and in fulfillment of your words — though blacks in America are not legally U.S. citizens — I urge you to walk in my moccasins, to borrow my eyes, and view the behavior of the U.S. justice system, and the prisons, toward blacks who, truly, are not only political prisoners but, more important, prisoners-of-war: captured resisters to the war of genocide being waged against us. I urge you to halt at once the ravages and indignities imposed on us by the prisons.

From the standpoints of both U.S. law and international law, Mr. Carter, you must keep in mind that the United States adopted Thomas Jefferson's "cruel war" of the slave trade as its own in Section Nine of Article One of the U.S. Constitution, placing the power of the United States for 20 years behind the warfare which constituted the slave trade. Similarly it is important to remember that Article Four, Section Two, Clause Three of the U.S. Constitution, the fugitive slave provision, was in essence a federal declaration of war against the freedom of the Afrikan slave, against the New Afrikan nation, *within* the United States — and four millions of us, out of four-and-a-half millions, were slaves on the eve of the Civil War.

The Confiscation Acts, the Emancipation Proclamation, and the Thirteenth Amendment were all in the nature of a unilateral U.S. cease-fire. At no time — barring certain acts by the Union Army — did the United States government sit down with the duly chosen representatives of the freed people, the New Afrikans, against whom the U.S. had waged war, and entertain their views on their political future and/or conclude a treaty with representatives of the black nation as required by U.S. law [U.S. v. Libelants and Claimants of the Schooner Amistad (1841), 15 Peters 518, 10 L.Ed. 826] and international law [UN General Assembly Resolutions 1514 (XV), 1960, and 1541 (XV), 1960]. Against this background, against the reality of the unfinished business of the Peace Treaty between the governments of the United States and New Afrika, based necessarily on true mutuality and full information, one may more fully appreciate that the two major political thrusts of the black nation's government, the RNA

Provisional Government, have been: one, to organize the independence plebiscite and, two, to conclude a Peace Treaty, including a reparations settlement, with the United States. I invite your government, Mr. Carter, to join my government in working peacefully toward the rapid attainment of these goals.

Of course I am cognizant of the white ethnocentric manner in which history is generally taught in the United States. I am fully aware, therefore, that many people in the United States have a difficult time accepting the fact that the treaties and resolutions of the United Nations, respecting colonized peoples, refer to blacks, New Afrikans, "in the United States." We, the New Afrikans, are on this soil as the result of war waged by slave-traders, supported by the United States and other nations, against the nations and peoples of Afrika, as the result of illegal transportation across the seas, and as the result of vicious colonization — cultural rape and economic exploitation, under chattel bondage and terror — *in* the United States. *That* is the historical record. And the full acceptance of this record cannot be — must not be — endlessly postponed. The U.S. must, like other nations, do what is right for *its* colonials — New Afrikans, Indians, Virgin Islanders (who, also, are New Afrikans), Eskimoes. And what is "right" is spelled out by the same international documents that you, Mr. Carter, said all nations should observe. Before the world, on March 17, 1977, you declared:

The solemn commitments of the United Nations Charter, of the United Nations Declaration for [sic] Human Rights, of the Helsinki Accords, and of many other international instruments must be taken just as seriously as commercial or security agreements.

It is the Universal Declaration of Human Rights, Mr. Carter, which codifies the right of blacks in America to citizenship in their own New Afrikan nation and to Indians in their nations. Article 15 of the Declaration reads:

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 23, Clause 3, of the Declaration codifies the right of the Indian and New Afrikan nations to self-determination, independence and full sovereignty. It reads:

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

These clear provisions are strongly reinforced by Article One of *both* the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights — covenants which you, Mr. Carter, promised to sign and to encourage the Senate to approve. These covenants have identical Articles One, which read:

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development.

These words are an exact duplicate of words found in UN General Assembly Resolution 1514 (XV), 14 December 1960, The Declaration on the Granting of Independence to Colonial Countries and Peoples. This Declaration calls for "the speedy and unconditional end [of] colonialism *in all its forms and manifestations*." [Emphasis added.] The steady recurrence of these words throughout the solemn UN pronouncements on human rights is saying to the United States that the United States may *not* avoid international law responsibilities towards *its* major colonials, New Afrikans and Indians.

White Americans may believe that Indians and New Afrikans *ought* to be happy to integrate into the American body politic. That belief, however, is irrelevant to the political *right* of blacks and Indians to make that choice *ourselves* — and to make that choice with full information and in free and genuine plebiscites. This is what the United Nations has said in General Assembly Resolution 1541 (XV) 15 December 1960. Principle VI of that Resolution permits integration as one of three acceptable alternatives for colonized peoples and territories (the other alternatives are independence and free association). But integration may never be forced — or induced on the basis of fraud or political obfuscation. Principle IX(b) of Resolution 1541 is quite clear on this matter; it reads:

(b) The integration should be the result of the freely expressed wishes of the Territory's

peoples, acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.

IV

All this is to say that the action of the United States Department of Justice, from 1968 through the present, to set about to jail me, the RNA-11, and others of your political opposition because We believe in and have worked openly and constitutionally for self-determination and independence of blacks and Indians is not only a crime under U.S. law [Title 18, Section 241, 242, and 371], as the Church Committee found with regard to the FBI's COINTELPRO. Such action is also a violation of international law, the very provisions of international law you have pledged to uphold.

Your government's violation of international law does not stop there. In United States prisons are such persons as Sister Safiya Bukhari and Brother Masai, in state prison in Virginia; James Haskins at Terre Haute, Herman Bell at Atlanta, and others, all members of the Black Liberation Army and citizens, like all blacks, of the black nation, the Republic of New Afrika, who have declared in U.S. Courts that they are prisoners-of-war, having been taken in acts of belligerency against the United States, which is waging a war of genocide against the black nation.

Despite the fact that the United States is a signatory to the Geneva Convention of 1949, *not one* of these persons, not one Indian or black in American jails, has been extended the protections of the Treaty. (These protections include, among other things, the right to be free from slave-labor, the right not to be kept in penitentiaries, and the right to be exchanged.) This stubborn refusal of the United States government to extend coverage of the Treaty to New Afrikans and Indians is in clear violation of the Geneva Convention's Article Five, which reads, in part:

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy,

belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

The responsibility for implementing the Treaty belongs to the United States President and his Attorney General. The refusal of yourself and your attorney general to implement the Treaty with respect to New Afrikans and Indians, Mr. Carter, is a violation of international law as crass as any committed by Rhodesia or South Afrika and equally deserves the condemnation of the world. Indeed, it was the recalcitrance and naked defiance of Rhodesia and South Afrika, with respect to the Treaty and the human rights of the freedom fighters of Zimbabwe and Azania (and Angola, Guinea-Bissau, and Mozambique under the Portuguese) which caused the United Nations General Assembly to reaffirm very emphatically [Resolution 3103 (XXVIII), 12 December 1973] that

the continuation of colonialism in all its forms and manifestations, as noted in General Assembly Resolution 2621 (XXV) of 12 October 1970, is a crime and that colonial peoples have the inherent right to struggle by all necessary means at their disposal against colonial Powers and alien domination in exercise of their right of self-determination recognized in the Charter of the United Nations . . . [Emphasis added.]

In Resolution 2621 the General Assembly had clearly declared: "(6)(a) All freedom fighters under detention shall be treated in accordance with the relevant provisions of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949."

This recitation of the violations of yourself and U.S. Attorney General Griffin Bell with respect to enforcement of the Geneva Convention for New Afrikans and Indians is important not for its potential to embarrass your government but for its potential to incline your government toward justice for these political prisoners, prisoners-of-war. In these difficult circumstances of my imprisonment i have had the pleasure of meeting some of these young men; i have found them to be serious persons of high character, thoroughly dedicated to the Revolution. Most of them have

wives and young children whom they love, but many have prison terms numbering more decades than they will live. They deserve a chance at a new life. President Fidel Castro has offered to receive these men and women in Cuba, providing them asylum and a chance to work and study and have decent lives. The United Republic of Tanzania has long granted asylum to political refugees and freedom fighters. As prisoners-of-war their rights under the Geneva Convention include the right to exchange. I urge you, Mr. Carter, to agree to the exchange.

More than this, unless the United States makes a break with its present policy toward blacks, departing from an acceptance of ruinous unemployment, ending the importation of heroin and cocaine and the production of methadone, and ceasing to use the prisons as wretched depositories and destroyers of black resisters, it is certain that the ranks of the Black Liberation Army, the Third World Liberation Army, and other such formations will continue to grow, their war of resistance continue to escalate. This is the simple, ineluctable lesson of three decades of worldwide liberation struggles.

The inevitable result is waste — on both sides — waste of human lives and resources at a moment when our space-ship earth can really afford neither. Mankind needs the minds and labor of all our sons and daughters, not for war, but for surmounting the life-threatening challenges we face in such fields as energy, health, food, water, materials, and space exploration. We need peace, on these shores as abroad. While the RNA Provisional Government neither directs nor controls the guerrilla forces of the Black Nation — BLA and TWLA and the others — i am confident that these forces would give most serious consideration to any course, to any agreement, worked out in good faith between the duly elected civilian leadership of the Black Nation, our Provisional Government, and the Government of the United States. Whatever political arrangements are made, they must include acceptance of the Geneva Convention and UN General Assembly Resolutions 3103 and 2621, acceptance of the peaceful independence plebiscite, and payment of reparations to the black Land Development Cooperatives for New Communities and industry owned by the people. The moment has come, Mr. Carter, i would suggest, for truly courageous leadership, the taking of a genuinely new and therapeutic direction by a U.S. President.

Finally i should like to return to the question of the RNA-11 and the contradictions in your Human Rights policy between actions at home and actions abroad, actions for whites and actions for blacks, which give this policy the cast of blatant racism. Very recently you recalled the U.S. Ambassador, George Landau, from Santiago, apparently to pressure the Chilean government into providing information on the murder of Orlando Letelier, a Chilean national, in Washington, D.C. You did this at a moment when your Attorney General, Griffin Bell, was withholding from RNA-11 lawyers critical information, in his possession, relating to what appears to have been a plot by the FBI to murder in cold-blood myself and other cadre of the RNA Provisional Government. It is this kind of thing which suggests to so much of the world that black lives mean less to you than white lives.

Seven of the RNA-11 went to trial on federal charges of conspiring to assault federal officers, assaulting federal officers, and using firearms to commit a felony, in the summer of 1973. The charges resulted from the dawn attack on the RNA Residence in Jackson, Mississippi, by a force of heavily armed FBI agents and city policemen, all white, on the morning of August 18, 1971.

That unprovoked attack was led by the same FBI agent, Elmer Linberg, who was later to lead the FBI attack which burned to death the SLA members trapped in a house in Los Angeles.

In the attack on the RNA Provisional Government Residence FBI Agent Linberg said he was seeking a fugitive. The fugitive was not there, but the agents and police, in accordance with a *pre-arranged* plan, surrounded the house and opened fire into the windows of both back bedrooms 75 seconds after arriving. They knew the house was occupied by young men and women not wanted for *any* crime. Seven — two women and five young men (i was not among them) — were arrested at the house; they were unharmed because of having retreated to a safety tunnel under the house during the intense firing by the attackers. A police lieutenant lost his life in that attack, and a policeman and an FBI agent were wounded.

I and three others were arrested at the office, blocks away, where We had spent the night because of guests at the Residence [Vice President Kanyama and his wife and Mr. Ababa]. There was no shooting at the office. But all eleven of us — seven from the

house and four from the office — were arrested and charged with murder; nine of us were finally indicted, also, on the federal charges, and seven ultimately were tried in federal court. This seven included Vice President Hekima Ana Kanyama and Brother Wayne James Ar-Rashid, both of whom, like 15-year-old Karim Njabafudi, had *already* been sentenced to life by the state of Mississippi. It included Brother Addis Ababa, who had arrived in the city, with the Kanyamas, barely 30 hours before the surprise attack, and who had already received two seven-year terms from the state. It included Ms. Tamu Kanyama, who had been at the University of Ghana in Afrika at the time the prosecution claimed the original conspiracy to assault federal officers was laid. *All* were found guilty (although Ms. Kanyama's sentence was finally reversed) by a jury in Biloxi, Mississippi — over 100 miles south of Jackson — a jury of 11 whites and one old, intimidated black man.

In pre-trial hearings We had asked the judge to throw out the case; We argued that the attack was not really to serve a warrant but to destroy the effectiveness of the RNA Provisional Government and halt the black independence movement. It was summer, 1973. At that time We did not know that the FBI had a formal, highly organized, and quite illegal program operating against me specifically and the Provisional Government generally, called the COINTELPRO. But FBI Agents Linberg and Holder knew; the U.S. prosecutor, specially assigned and down from Washington, Garvin Lee Oliver, knew. But Mr. Oliver lied: he told the Court there was no such conspiracy, and the Judge, Walter L. Nixon — who, sources would later indicate, was conducting unethical conversations with the prosecution — denied our motion to dismiss because, he said, We lacked even enough evidence of U.S. wrongdoing to justify holding a hearing.

At trial the FBI and the U.S. Attorneys continued to fabricate and obfuscate. They gave testimony attempting to establish that they learned the identity and whereabouts of the fugitive — at the RNA Residence — by teletype three days before the attack. But We learned from their key witness (out of the presence of the jury) — Thomas "Snoopy" Spells, a paid informer from the RNA Milwaukee unit — that the FBI in Milwaukee had in fact known of the fugitive and his legal status in Milwaukee *two months* before the attack, and that Milwaukee FBI agents had not only refused to arrest him but had ordered the informer Spells to accompany the fugitive to Jackson for a national RNA meeting in July. Still,

Judge Nixon refused to dismiss the case.

While awaiting the decision of the appeals court, i — and the rest of the public — learned of the existence of the COINTELPRO. I wrote U.S. Attorney General Saxbe, who had investigated the matter, asking him to release data on the COINTELPRO against the RNA-11 in time for the appeals court to consider it. He refused. The appeals court — in an opinion [U.S. v. James, 526 F.2d 999 (CA 5 1976)] extraordinary for its failure even to discuss any allegation of U.S. governmental wrong-doing, for its cavalier approval of the outrageous two-day warrantless seizure of hundreds of RNA personal and business items, and for its fiction-story-like departures from the record — confirmed the convictions (except for Ms. Kanyama). Your Attorney General, Griffin Bell, was one of the three judges of the Appeals Court panel which wrote this incredible decision.

[For those familiar with the actual situation the Bell opinion has an Alice-in-Wonderland quality at several points. The judges begin by describing the Provisional Government Residence as the "capitol." No one, neither Provisional Government personnel nor the FBI agents, police or U.S. Attorneys ever referred to the Residence as the "capitol." The "capital" was in fact to be built on a still undeveloped site in Hinds county. The Bell opinion said that of the attacking officers "two or three" had "tear gas guns and shells, flak vests, sidearms, shotguns and helmets." It is almost as if the opinion is talking about a different event entirely. Testimony and pictures widely produced in the press clearly indicate that of the 30 policemen and agents who launched the initial attack on the Residence virtually all had flak vests and helmets, most of the police had shotguns *and* sidearms. They also brought an armored car with them: the so-called *Thompson's Tank*.]

In the meantime, under the Freedom-of-Information Act, i had requested release of the COINTELPRO documents i believed to exist. For almost two years — until March 30, 1977, months after i and the two others on bond had returned to jail — the FBI denied that i or the Provisional Government was *ever* a COINTELPRO target; then, on March 30, 1977, FBI Director Clarence Kelley suddenly released ten pages of heavily censored documents to me. The barrier was breached. In the year and a half since then We have acquired nearly 3,000 pages of COINTELPRO and related documents, most of them heavily censored and many with entire pages missing. But through these reluctantly released, incomplete

documents and our own continuing research We have been able to put together the following picture, which We are now able to prove beyond a reasonable doubt.

Years before the founding of the Provisional Government, the FBI had targetted me as a "Key Black Extremist" and listed me for "emergency detention" in event of a Presidentially declared crisis. Following the founding of the Provisional Government on 31 March 1968, the U.S. Justice Department immediately sought ways of prosecuting the founders and officers. Most were harassed by income tax reviews and other "investigative" methods. The FBI performed at least one "black-bag job" — a criminal breaking and entering — of my home in Detroit, and then set about to smash the Provisional Government cadres in Boston, New York, Detroit, Pittsburgh, New Orleans, Jackson, and elsewhere. To accomplish this the FBI arranged for highly prejudicial stories in the press, forged letters to spouses, friends, cadres, and supporters, tried to inspire violence between La Cosa Nostra and black numbersmen in Detroit who were thought to be supporting the black nationalist movement, tried to create violence between RNA personnel and the Black Panthers, and sought to provoke the Jewish Defense League.

The FBI concocted and spread scurrilous rumors to defame the reputation of myself and others. They tried to prevent the sale of land to us.

Some of these efforts achieved marked disruption, but the major stated goal of halting the black independence movement and its work in Mississippi continued to elude the FBI. Consequently in 1971 the FBI reached for more conclusive measures. This was, the U.S. Senate's Select Committee, the Church Committee, later determined, the year when virulent FBI COINTELPRO activity against the Black Movement reached its greatest intensity.

In Milwaukee FBI Agent Robert Hefner, the "control" for the veteran, paid informer known in their records as "Snoopy" (Thomas Spells), learned in early June (1971) that a man who had recently arrived at the RNA Milwaukee Consulate was a fugitive for whom the Battle Creek, Michigan, police had a murder warrant. The fugitive was therefore subject to immediate FBI arrest. However, Agent Hefner had also learned through the informer that i, as President, had sent out a general call for cadre to come to Mississippi to help with our political work, and that the fugitive

planned to go to Mississippi the following month in answer to that call, at the time of the national Provisional Government meeting scheduled for Jackson on July 16th.

A bizarre, criminal plan for the final and complete destruction of the RNA at its governmental heart, in Jackson, Mississippi, was then developed — with the unrecorded approval of J. Edgar Hoover and his top assistants — by FBI agents in Milwaukee, Detroit, and Jackson. Under the plan the Milwaukee agents would not arrest the fugitive — even though the informer, Snoopy, had become alarmed at the fugitive's instability and for weeks pleaded repeatedly with Agent Hefner to arrest him; the agent simply told the informer that he couldn't "find anything on him." Under the plan the FBI would wait until the fugitive was at the RNA Residence in Mississippi and then "raid" the place under pretext of arresting the fugitive. The certain loss of life and any arrests which would result, coupled with the seizure of RNA records and paraphernalia would destroy the movement once and for all.

Agent Hefner then directed the informer to go to Mississippi with the fugitive and to report to FBI Agent George Holder when the fugitive had arrived. The informer was not directed to tell anyone at the RNA Residence that the man he had brought with him was a fugitive; he did not tell anyone at the Residence and, as FBI records indicate, no one at the Residence knew that the man was a fugitive.

The next phase of this criminal conspiracy to assault innocent persons and commit murder was then executed, Jackson Special Agent-In-Charge Elmer Linberg having added the feature of giving the occupants only 75 seconds to exit the surrounded building before opening fire.

The results, however, were not as the FBI had expected. For one thing, no RNA personnel were killed or wounded; second, the primary target of the raid — myself — into whose bedroom the most shots had been fired, was not there. Third, an FBI agent and two policemen were seriously wounded by return fire, one mortally. The FBI then frantically sought to do two things: first, cover up their conspiracy to commit murder and, second, assure the successful prosecution of their innocent victims, who had been arrested.

At a press conference later in the day of the ill-fated attack, FBI Agent Elmer Linberg — whose malfeasance had brought the death and injury of men in his charge — and two state officials

told the press that RNA personnel had fired first and suggested that We had somehow learned of their secret attack plan in advance (a plan to which no black officer had been made privy). U.S. Justice Department Attorneys from Washington joined in a hurried review of numerous federal statutes to find something, *anything*, with which to charge me and the three arrested with me at the office, where no shooting occurred (the state, cooperating with the FBI, was holding us all for murder and for waging war against the state of Mississippi, treason, a ridiculous charge that would later be quietly dropped).

FBI agents frantically interviewed informers and contacts in Mississippi, Washington, D.C., Detroit, and elsewhere, trying to find persons who could testify We had formed a conspiracy to attack federal officers. Finally, after two months, they went before the federal Grand Jury in Jackson and swore that at the meeting to which informer Snoopy had brought the fugitive i had instructed a group of persons "to shoot any unknown person who approached the residence." Of course, such a statement had never been made, and at trial the FBI failed to produce testimony that i had said this.

The FBI then helped the state of Mississippi achieve murder convictions against Mr. Kanyama, Mr. Ar-Rashid, and Mr. Njabafudi. But when officials in the U.S. Justice Department at Washington sought to drop prosecution of myself and the others named in the federal indictment because they realized that a conviction could only be obtained thru lies and a massive criminal cover-up, FBI officials from Jackson to D.C. went into a rage. They induced U.S. Senators Eastland and Stennis to intervene, and shortly thereafter Acting U.S. Attorney General Elliott Richardson approved prosecution — including the prosecution of the men already under life sentences by the state of Mississippi.

Meanwhile, continuing its efforts to "neutralize" me as a leader by keeping me in jail, the FBI conducted a campaign — successful for many months — to prevent companies from posting my bond. After our conviction, just prior to oral arguments at the Fifth Circuit Court of Appeals, FBI officials induced U.S. News and World Report magazine and national newspaper columnist Victor Reisel to publish defamatory articles on myself and the Provisional Government, implying that We were terrorists (the Provisional Government has never sponsored *any* terrorist act), and designed to assure a negative decision from the court.

Consequently, Mr. Carter — in light of the refusal of the U.S. Justice Department to release to us documents relating to the Milwaukee FBI reports on the fugitive and the full COINTELPRO files, despite our requests — We could only react with amazement when you instituted sanctions against Chile to force that government to provide information on the murder of Mr. Letelier. The cover-up in the RNA case has been going on for almost five years; almost *two* of these years have been under *your* Attorney General, Mr. Bell. A mere telephone call to him — *not* the calling home of an Ambassador — would produce for us the suppressed information on the attempted assassination of myself and the RNA-11. But you have not acted for us.

Worse — despite the fact that all of the information summarized above, and more, are available to your Attorney General — he has failed to make representations to the state of Mississippi that the state murder convictions of the RNA-11 were based upon material suppressions of information by the FBI.

What are We to think of the even-handedness of your concern for Human Rights or your administration of justice when Mr. Bell allows Mr. Kanyama, Mr. Ar-Rashid, and Mr. Njabafudi to rot in jail year after year — while he expresses pity for John Mitchell because he is now poor and would release him because he needs to be home with his teenage daughter? (Hekima and Wayne both have children; Karim was a teenager himself when he was so wrongfully imprisoned seven years ago.) Not only has Mr. Bell not written to the state of Mississippi, Mr. Carter, but neither have you. Consider how We must feel to witness your notes and public statements to the Russians concerning Mr. Shcharansky and Mr. Ginzberg. What are We to think when We consider that officials in Mississippi had quietly and humanely released Mr. Kanyama and Mr. Ar-Rashid to serve their federal sentences but, when the matter drew adverse comment in the Mississippi press, the U.S. Justice Department simply handed these men back to Mississippi without the benefit of *any* court review.

Further, it is quite clear that there is not only a moral obligation for Mr. Bell, as U.S. Attorney General, to come into court on his own motion and request the voiding of the federal convictions because of material suppressions of evidence bearing on both the institution of the prosecution and the guilt or innocence of the accused, there is a *legal* duty for him to do so [United States v. Nixon (1974), 418 U.S. 683]. He has, however, so far

refused. For us this is a brazen continuation of the FBI's illegal COINTELPRO which sought, in the words of the directives, to neutralize me as a leader and destroy the black independence movement. In this light Amnesty International's characterization of us as political prisoners, Prisoners of Conscience, is quite apt. We are, in truth, prisoners-of-war.

In my individual case the virulent political essence of your policy has once more been made quite pronounced — by a new series of actions taken against me by prison officials. Under your law i would be eligible for release (on parole) in a few months, but the prison authorities have taken two steps to prevent such release:

First, they have informed me that i am not to receive credit for the 21 months i spent in jail in Mississippi (your Attorney General has the power to credit this time), and

Second, they have presented me with a piece of paper which says, in sum, that my release would "depreciate the seriousness of the offense or promote disrespect for the law" and that i am among those classified as "extremely dangerous offenders." Such findings are sufficient to prevent parole.

Can i conclude anything other than that i am being kept in jail to prevent my return to my elected position as President of the Provisional Government and leader of the independence movement? Can i conclude other than that my continued jailing is to silence my voice in the 1978 national black elections, and to impair those elections, and to prevent my taking the option of land, independence, reparations and New Communities to black people as the authentic black political opposition to those who subjugate us?

It is my hope, Mr. Carter, that these remarks will lead to a change in your Human Rights policy for the better, for black people and Puerto Ricans and Indians and all the United States' colonials, and for our prisoners-of-war.

We shall

FREE THE LAND!

IMARI ABUBAKARI OBADELE, I
Atlanta Penitentiary